

PATENT  
Customer No. 22,852  
Attorney Docket No. 5725.0479-01

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
Valérie de la POTERIE ) Prior Group Art Unit: 1616  
)  
Application No.: New U.S. Continuation ) Prior Examiner: M. Haghighatian  
Application of 09/437,109, filed )  
November 9, 1999 )  
)  
Filed: January 5, 2004 )  
)  
For: TRANSFER-FREE COSMETIC )  
COMPOSITION COMPRISING A )  
DISPERSION OF POLYMER )  
PARTICLES AND A SPECIFIC )  
RHEOLOGICAL AGENT )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed concurrently with the filing date of the above-referenced continuation application.

Copies of the listed documents were previously submitted in a prior application, application no. 09/437,109, filing date November 9, 1999, upon which Applicant relies for the benefits provided in 35 U.S.C. § 120. For the Examiner's convenience, Applicant has provided copies of the list documents. Applicant respectfully requests that the

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Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: January 5, 2004

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## INFORMATION DISCLOSURE CITATION

Atty. Docket No. 5725.0479-01	Appln. No. New U.S. Continuation Application of 09/437,109, filed November 9, 1999
Applicant Valérie de la POTERIE	
Filing Date January 5, 2004	Prior Group: 1616

## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,851,517	Dec. 22, 1998	Mougin et al.	424	78.02	
	5,955,003	Sept. 21, 1999	Terren et al.	252	315.4	
	6,133,463	Oct. 17, 2000	Fourneron et al.	554	79	

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
EP 0 497 144	Aug. 5, 1992	Europe			
EP 0 749 746	Dec. 27, 1996	Europe			English abstract
EP 0 749 747	Dec. 27, 1996	Europe			No
FR 2 357 244	Feb. 3, 1978	France			English abstract
FR 2 710 646	Apr. 7, 1995	France			English abstract
JP 61-65809	Apr. 4, 1986	Japan			English abstract
JP 62-61911	Mar. 18, 1987	Japan			English abstract
WO 94/12190	Jun. 9, 1994	PCT			
WO 96/36323	Nov. 21, 1996	PCT			
WO 98/38981	Sep. 11, 1998	PCT			
WO 98/42298	Oct. 1, 1998	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

Eric A. Grulke, "Solubility Parameter Values", Polymer Handbook, 3 <sup>rd</sup> Edition, Chapter VII, pp. 519-559.
Charles M. Hansen, "The Three Dimensional Solubility Parameter - Key to Paint Component Affinities: I. Solvents, Plasticizers, Polymers, and Resins", Journal of Paint Technology, Vol. 39, No. 505, February 1967, pp. 104-117.
Leon M. Prince, "Microemulsions...Theory and Practice", Academic Press, Inc., 1977, pp. 21-33.
English language Derwent Abstract of EO 0 749 746
English language Derwent Abstract of FR 2 357 244.

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	English language Derwent Abstract of JP 61-65809.
	English language Derwent Abstract of JP 62-61911.

Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce